

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TAD SCHLATRE, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

MARATHON DIGITAL HOLDINGS, INC.  
f/k/a MARATHON PATENT GROUP, INC.,  
MERRICK D. OKAMOTO, FREDERICK G.  
THIEL, and SIMEON SALZMAN,

Defendants.

No.: 2:21-cv-02209-RFB-NJK

**DECLARATION OF ANDREW  
MUEHLBAUER IN SUPPORT OF  
MOTION OF TAD SCHLATRE  
FOR APPOINTMENT AS LEAD  
PLAINTIFF AND APPROVAL OF  
COUNSEL**

I, Andrew Muehlbauer, hereby declare as follows:

1. I am a lawyer with the law firm of Muehlbauer Law Office, Ltd. (“Muehlbauer Law”), counsel on behalf of Tad Schlatre (“Schlatre”), and have personal knowledge of the facts set forth herein. I make this Declaration in support of the motion by Schlatre for appointment as Lead Plaintiff for the Class in the above-captioned action (the “Action”) and approval of his selection of Pomerantz LLP (“Pomerantz”) as Lead Counsel and Muehlbauer Law as Liaison Counsel for the Class.

2. Attached hereto as the exhibits indicated are true and correct copies of the following:

Exhibit A: Chart reflecting the financial interest of Schlatre in the Action;

Exhibit B: Press release published over *Globe Newswire* on December 17, 2021, announcing the pendency of the Action;

Exhibit C: Shareholder Certification executed by Schlatre;

Exhibit D: Declaration executed by Schlatre;

Exhibit E: Firm resume of Pomerantz; and

DECLARATION OF ANDREW MUEHLBAUER

1 Exhibit F: Firm resume of Muehlbauer Law.

2 I declare under penalty of perjury under the laws of the United States of America that  
3 the foregoing facts are true and correct.  
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5 Executed on February 15, 2022, at Las Vegas, Nevada.

6 /s/ Andrew R. Muehlbauer

7 Andrew R. Muehlbauer  
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DECLARATION OF ANDREW MUEHLBAUER

**CERTIFICATE OF SERVICE**

I hereby certify that on February 15, 2022, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Andrew R. Muehlbauer

Andrew R. Muehlbauer

DECLARATION OF ANDREW MUEHLBAUER